

REMARKS

Review and reconsideration and entrance of this AMENDMENT are requested.

Applicants have generally explained support for the claims herein in the priority document in the Amendment of January 2, 2008 at pages 15-17. That material is later reproduced herein in slightly amended form under the section **REMARKS FROM 1/2/08 AMENDMENT**.

Applicants wish to point out to the Examiner that in the transmittal letter filing this application, the priority document was "hereby incorporated by reference."

In general, however, in certain groups, the carbon atom range in present claim 1 (all references herein are to claim 1) is C₃₋₇, whereas the priority document uses C₃₋₈. Applicants use the range in the priority document. This would apply to compounds (xiii), (xiv), (xv), (xvi), (xvii), (xviii), (xxxi), (xxxxiii) and (xxxxiv). See the certified translation at page 2, lines 18-21; page 3, lines 17/18; and page 6, lines 12/13.

On the other hand, in claim 1, certain compounds give the carbon atom range as C₂₋₇, whereas the priority document uses C₂₋₆. Applicants amend claim 1 to agree with the priority document. This range is used in claim 1 herein for [substituent group β] at page 6, line 7 of the January 2, 2008 AMENDMENT, and for [substituent group γ] in the AMENDMENT of January 2, 2008 at page 7, lines 3/4. Corresponding disclosure except for using the range C₂₋₆ occurs in the certified translation at page 6, lines 3/4 and page 7, lines 5/6.

This leaves other groups which are simply not disclosed in the priority document but which are claimed in claim 1 herein. These have been marked in the "FOR REFERENCE ONLY" version of the claims filed with the January 2, 2008 AMENDMENT. See page 5, line 7, page 6, line 6/7 and page 8, line 3 from the bottom of the page and line 7 from the bottom of the

page. There is a group at page 8, line 4 where, a group occurs in the priority document but not in the present application. This should have no impact on the issue of support.

In the Action of July 2, 2007, at page 10, the Examiner states as follows regarding the anticipation rejection over U.S. 7,129,220 B2 to Beavers et al.

“Beavers et al. disclose compounds which anticipate the instant compounds: see examples 34 & 35 on col. 47 for example. Example compound 35 is seen to meet the limitations of the instant compounds wherein: G is represented by G1; R¹ is H; Y is NH; R² is H; Q is a C₁ alkylene group; and A is a group derived from a benzene ring.”

Applicants state that they do not believe that the above disclosure in Beavers would anticipate or render obvious any of the groups set forth in claim 1 of the application but not supported in the priority document.

If the Examiner wishes, it is believed that Applicants could provide detailed comments on this point.

Thus, when all of the discussion is taken together, the claims as amended find support in the priority document or are not anticipated or rendered obvious by Beavers et al.

With respect to claims 23 and 25, two of the additional materials (antidiarrhoics, cathartics) are not disclosed in the priority document and these are canceled from claims 23 and 25.

Allowance is requested.

A telephone interview was conducted concerning this application on February 12, 2008.

The only issues that were discussed were how to approach amending the claims in light of the support discussion in the AMENDMENT of January 2, 2008.

The Examiner suggested amending to agree with support in the priority document, where possible, arguing unobvious over the Beavers '220 patent where appropriate, and canceling material as Applicants felt appropriate. The Examiner said that he would consider any amendatory material and appropriately act on the case.

No other issues were discussed.

REMARKS FROM 1/2/08 AMENDMENT

Even if Beavers is assumed to be entitled to an effective date of August 1, 2003, under 35 U.S.C. § 102(e) this is still later than Applicants' claimed priority date of March 31, 2003.

Applicants incorporated by reference the entire disclosure of the priority document in the documents filing this application.

Support for the indicated claims herein occurs in the certified translation as follows. Applicants give the number of the claim herein and then after the indication of support refer to the certified translation.

Claim 1 of the present application generally finds support in the certified translation of the priority document at [claim 1] which begins at page 1 and continues over to the first two lines on page 8 and at page 18, the last line, [1] over to the first three lines on page 26, **with the following exceptions.**

The Examiner will note there is attached a copy of pages 2-8 of the PRELIMINARY AMENDMENT filed with this application entitled in the upper right hand corner FOR REFERENCE ONLY.

At various points, claim 1 in the present application uses C₃₋₇ whereas the priority document uses C₃₋₈, i.e., the priority document is slightly broader. Applicants use C₃₋₈ from the priority document in claim 1.

* * *

The points where the present application differs from the priority document have the numeral 8 over the numeral 7 in the attached PRELIMINARY AMENDMENT.

At various points, claim 1 uses C₂₋₇ whereas the priority document uses C₂₋₆, i.e., the priority document is slightly narrower. They amend C₂₋₇ to C₂₋₆ in claim 1 based on the priority document.

The points where this occurs in the PRELIMINARY AMENDMENT have the numeral 6 over the numeral 7 in claim 1.

Finally, certain groups in claim 1 do not occur at the above points referenced in the certified translation.

Points in the priority document where this occurs have an encircled numeral 1.

At certain points a group is recited in the priority document but not in claim 1 of the present application. These points are indicated with an encircled numeral 2.

* * *

Applicants further advise that the sulfamide group (-NH₂SO₂NH₂) in R^E, R^F and R^G in the priority document was amended to a sulfamoyl group (-SO₂NH₂) which was actually intended at the time of filing of the International Application.

With respect to the remaining claims, these find support in the certified translation of the priority document as follows.

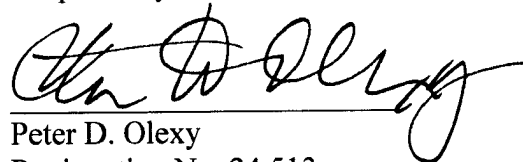
Claim in Present Application	Priority Document
3	[Cl. 3] p. 8; [3] p. 26.
4	[Cl. 4], p. 8; [4] p. 26.
6	[Cl. 6], p. 8; [6] p. 26.

13	[Cl. 13], p. 9; [13] p. 27; [0168] & [0170] p. 115+.
15	[Cl. 9] p. 8/9; [9] p. 27; [0168] & [0170] p. 115+.
16	[Cl. 10] p. 9; [10] p. 27; [0168] & [0170] p. 115+.
17	[Cl. 11] p. 9; [11] p. 27; [0168] & [0170] p. 115+.
18	[Cl. 12] p. 9; [12] p. 27; [0168] & [0170] p. 115+.
23*	[Cl. 15] p. 9+; [15] p. 27+.
25*	[Cl. 15] p. 9+; [15] p. 27+; [0168] & [0170] p. 115+.
28	Examples earlier discussed.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

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* Antidiarrhoics and cathartics are not disclosed and are cancelled from claims 23 and 25.